



**State of New Hampshire  
Governor's Commission on Disability  
121 South Fruit Street Suite 101  
Concord NH 03301  
<http://www.nh.gov/disability/>**

**Annual Report FY15  
Compiled on  
January 1, 2016**

**State of New Hampshire  
Governor's Commission on Disability**

**The Honorable Margaret Wood Hassan, Governor**

**Executive Council Members**

**Councilor Joseph D. Kenney  
Councilor Colin Van Osten  
Councilor Christopher T. Sununu  
Councilor Christopher C. Pappas  
Councilor David K. Wheeler**

**Charles J. Saia, Executive Director**

January 1, 2016

Her Excellency Margaret Wood Hassan, Governor  
State House  
107 North Main St.  
Concord, NH 03301

Dear Governor Hassan:

On behalf of the New Hampshire Governor's Commission on Disability (GCD), it is our privilege to submit our annual report on the activities of the Commission and staff from July 1, 2014 to June 30, 2015, as required by RSA 275-C:6 VI.

The Commission continued its efforts to help educate and inform New Hampshire residents and visitors on issues important to people with disabilities.

Further as described within, the Client Assistance Program continues to be a source of information and intervention regarding employment issues for those with a disability.

The effort of public awareness through social media and the newsletter have been successful in providing timely and accurate information about GCD activities and information for the community we serve. Newsline for the Blind as described within continues to provide access to those who are unable to read newsprint.

The Telecommunications Equipment Assistance Program (TEAP) enables qualified persons in New Hampshire to access telephone service through the use of accessible telecommunications equipment. This program is a necessary part of providing telephone communication access for the people of NH. It is essential that people have communication access for emergency calls as well as regular communication through telephones the same as the others do.

The Beyond the Barriers is a monthly newspaper column published in the Union Leader on the first Sunday of every month and covers conferences, workshops and trainings for people with disabilities, their families and human service professionals also keeps the public informed.

Legislatively the GCD has taken proactive positions on various bills, such as the Achieving a Better Life Experience Act (ABLE) and the repeal of payment of subminimum wages to those with a disability.

We look forward to continuing our collaborative efforts across the State of New Hampshire.

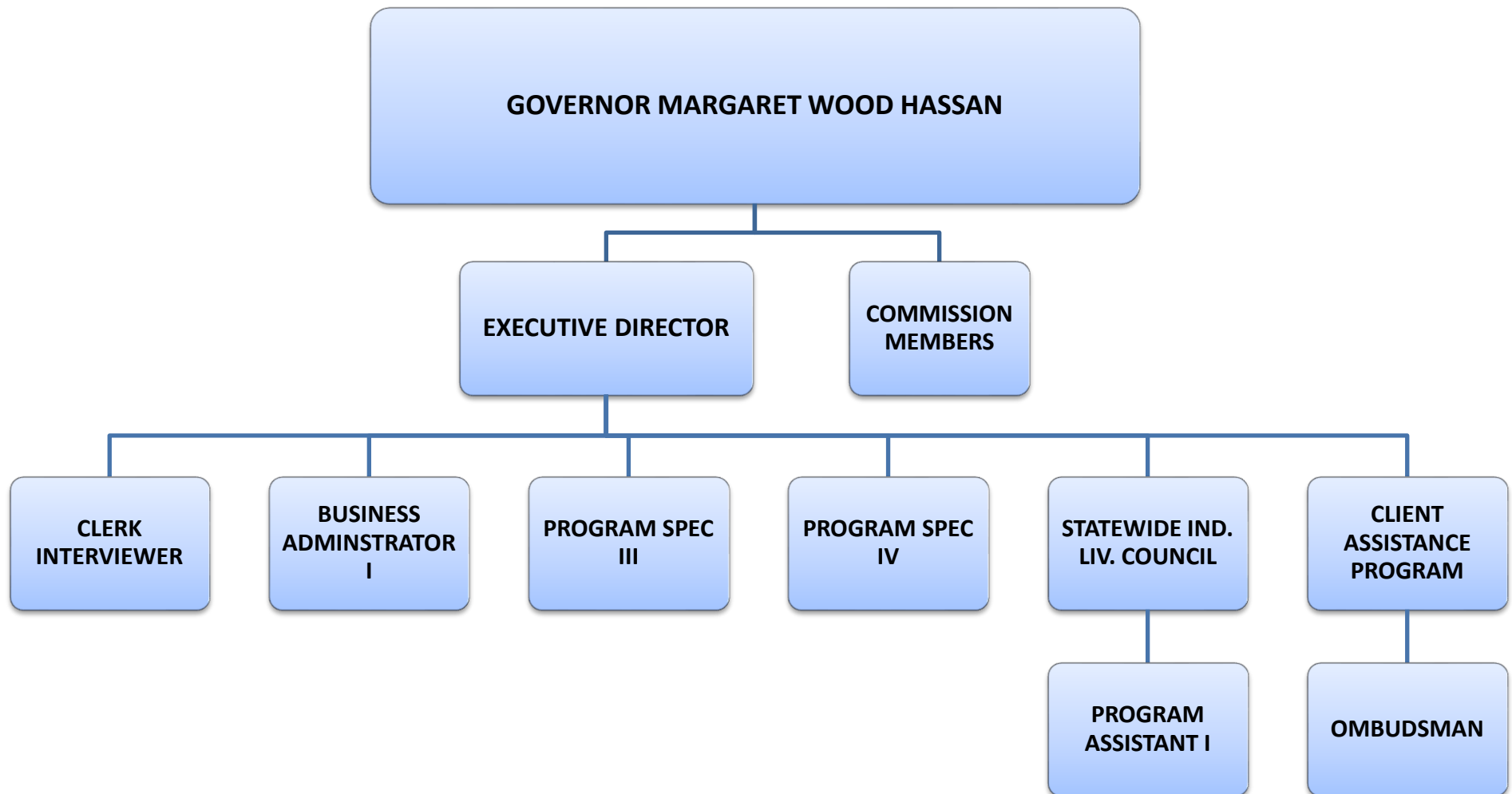
Sincerely,

Charles J. Saia  
Executive Director  
Governor's Commission on Disability

## **Table of Contents**

Organizational Chart	Page 2
Outline of Agency Functions	Page 3 - 8
Personnel Data	Page 9 - 10
Commission Members	Page 11 – 12
Statutory Committee Members	Page 13
Summary of Receipts and Expenditures	Page 14
Major Accomplishments	Page 15
Significant Legislation	Page 15
Moving Forward	Page 16

## Organizational Chart



### **Outline of Agency Functions**

The Governor's Commission on Disability (GCD) is statutorily created pursuant to RSA 275-C and is a statewide agency that serves people with cross-disabilities, advises the Governor, Legislature, and other state agencies regarding disability-related compliance, and provides assistance with the Americans With Disabilities Act (ADA) and other disability law compliance. Below please find a further description of the GCD's functions.

1. Advise the Governor, state agencies and the NH Legislature on the needs, rights and interests of citizens with disabilities;
2. Coordinate and monitor state agency compliance with the Americans with Disabilities Act;
3. Make legislative and policy recommendations regarding the adequacy of state programs, plans and budgets for services for persons with disabilities;
4. Recommend legislation while monitoring and reporting on bills of interest to persons with disabilities;
5. Sponsor programs to educate the public about disability issues;
6. Implement and operate the federally funded Client Assistance Program designed to resolve problems that arise between persons with disabilities and vocational rehabilitation and independent living programs;
7. Administer a program (TEAP) to distribute telecommunication devices to persons who are deaf, hard of hearing, deaf/blind or who have speech or mobility impairments that affect telephone use;
8. Serve as state affiliate for the Institute for Human Centered Design - New England ADA Center;
9. Operate an information resource and problem-solving center;
10. House the Statewide Independent Living Council (SILC), an independent cross-disability council, which provides leadership and advocacy in support of the independent living philosophy for persons with significant disabilities; and,

11. Implement the statutory requirements imposed by RSA 275-C:11 regarding the Governor's Commission on Disability, Permanent Committee for Barrier Free Design.

**Advise the Governor, State agencies and the NH Legislature on the needs, rights and interests of citizens with disabilities**

The GCD responds to public inquiries on a daily basis about requirements of the Americans with Disabilities Act (ADA). The staff seeks to inform the public with the latest available information so the public can make informed decisions about accessibility for people with a disability. The GCD also responds to other state agencies when necessary to advise them about ADA requirements and the needs of the public with regard to disabilities. The legislature has several times this year sought comment about different bills that would be of concern to those with a disability and the GCD has responded with testimony and advice.

**Coordinate and monitor state agency compliance with the Americans with Disabilities Act**

The GCD through its statutorily created Architectural and Barrier Free Design Committee (ABFDC) monitors state buildings for building accessibility as defined by the ADA code for barrier free design. This involves coordination with the State's Administrative Services Dept., state building facilities staff, and the GCD Accessibility Specialist. The buildings proposed by the State for new leases or lease renewals are initially reviewed by the Accessibility Specialist for ADA compliance. The Specialist issues a letter of recommendation to the ABFDC who then votes on the recommendations from the Specialist for ADA compliance. When reviewing accessibility the Specialist may also suggest program access to achieve compliance Title II of the ADA.

**Make legislative and policy recommendations regarding the adequacy of state programs, plans and budgets for services for persons with disabilities**

**Recommend legislation while monitoring and reporting on bills of interest to persons with disabilities**

The Legislative Committee follows and studies activities of the legislature as they pertain to people with disabilities in New Hampshire. The Committee may advise or inform elected officials in matters pertaining to people with disabilities.



Weekly tracking of these bills is sent out to all members during the current active legislative season on a weekly basis. The Committee reviews the applicable bills and provides direction to the Executive Director as to potential testimony before legislative committees.

### **Sponsor programs to educate the public about disability issues**

**Disability Etiquette** – A PowerPoint presentation has been developed by the Assistant Secretary of State and Commission member Thomas Manning. The GCD has a link on its website to the presentation.

**Legislative Training** – This initiative is geared to those with a disability with awareness to the grass roots understanding of the legislative process. Over the past few years, the GCD has collaborated with the Brain Injury Association of NH.

**Plan Reading Workshop Collaboration** – The GCD through its Accessibility Specialist worked with New England ADA to present a workshop (on October 20, 2015) for non-professional people to learn about basic plan reading. A workshop entitled “**Introduction to Architectural Plan Reading Workshop**” was held at the Philbrook Building in Concord.

**Beyond the Barriers** – monthly publication in the Union Leader which informs readers about up and coming events, trainings, workshops, and educational seminars in regards to people with disabilities.

**Governor’s Accessibility Awards** – The NH Governor’s Accessibility Awards is a yearly event where the GCD recognizes the outstanding accomplishments and leadership within a business, organization or individual that supports independence, inclusive, accessible environments and services for individuals with disabilities. We are grateful that her Excellency actively participates in the ceremony. These awards recognize achievements and /or demonstrate the efforts that go above and beyond normal requirements and business responsibilities in any or all of the following criteria areas of:

- Providing contributions and advocacy efforts of a significant nature on behalf of persons with disabilities living in New Hampshire
- Helping to make a positive and significant difference in the lives of persons with disabilities living in New Hampshire

- Making substantial efforts at inclusion or integration of persons with disabilities into the life of the community and/or their respective organization or work environment.
- A leadership role working towards a variety of steps and actions to ensure that people with disabilities are afforded the same opportunities in life as people without disabilities
- A project(s) that implement universal design principles and service accessibility that goes beyond the minimum legal definition of accessibility
- Involvement in government or private sector to improve programs / services for individuals with disabilities
- Showing leadership in advocacy and implementation of the Americans with Disabilities Act (ADA) guidelines

## **PROGRAMS AND SERVICES THE GCD PROVIDES**

### **Client Assistance Program (CAP)**

#### **Duties of the CAP:**

- Advocate for Person's With a Disability in negotiations, mediation, or informal administrative proceedings before government agencies or before private entities or organizations.
- Train staff at area agencies and Vocational Rehabilitation sites in the rights of individuals and the responsibilities of the agencies to assist persons in their efforts to return to the work force.
- Assist with internal policies and procedures to better serve its customers, reducing the amount of calls that require the expertise of a lawyer, thereby contributing to the creation of a strong mediation relationship.
- The purpose of this program is to advise and inform clients, client applicants, and other individuals with disabilities of all the available services and benefits under the Rehabilitation Act of 1973, as amended, and of the services and benefits available to them under Title I of the Americans with Disabilities Act (ADA).

Grantees may assist and advocate for clients and client applicants in relation to projects, programs, and services provided under the Rehabilitation Act. In providing assistance and advocacy under Title I of the Rehabilitation Act, a CAP agency may provide assistance and advocacy with respect to services that are directly related to employment for the client or client applicant.

Each state is required to have oversight of its Vocational Rehabilitation program so that clients have an impartial place to discuss problems with services and/or programs. The Governor's Commission on Disability has traditionally dedicated, trained staff, acting as the Ombudsman to address and resolve various issues from all consumers to ensure that the Vocational-Rehabilitation System performs the best it can. The Ombudsman works to resolve problems before they escalate. This benefits the CAP, VR personnel, and VR clients by not having to expend additional time and resources preparing for and attending fair hearings and other more litigious forums.

From the Federal Department of Education's website: The purpose of this program is to advise and inform clients, client applicants, and other individuals with disabilities of all the available services and benefits under the *Rehabilitation Act of 1973*, as amended, and of the services and benefits available to them under Title I of the Americans with Disabilities Act (ADA). In addition, grantees may assist and advocate for clients and client applicants in relation to projects, programs, and services provided under the *Rehabilitation Act*. In providing assistance and advocacy under Title I of the *Rehabilitation Act*, a CAP agency may provide assistance and advocacy with respect to services that are directly related to employment for the client or client applicant.

### **Telecommunications Equipment Program (TEAP)**

RSA-362-E Establishes that the Governor's Commission on Disability shall administer a program that enables qualified persons in New Hampshire to access telephone service through the use of telecommunications equipment assistance. The services of this program are contracted out through the RFP process with the approval of the governor and executive council. The current contract is awarded to Northeast Deaf & Hard of Hearing Services Inc. The GCD makes an annual report to the governor and council, the senate president, the speaker of the house, and the public utilities commission on the usage data of the service. All telephone equipment is the property of the GCD.

### **Newsline for the Blind**

Pursuant to RSA 275-C:8-a, the sum of \$28,000 is annually appropriated to the Governor's Commission on Disability for the purpose of funding the National Federation of the Blind's "Newsline for the Blind," an information and news service that provides individuals who are otherwise unable to read newsprint with access to existing newspapers and other printed materials. Said funds shall be a charge against the telecommunications relay service trust fund established by the public utilities commission.

## **SILC**

The New Hampshire SILC is created in Title VII, of the Federal Rehabilitation Act of 1973, as amended. The Rehab Act established funding for, among other programs, the Vocational Rehabilitation Program, Centers for Independent Living, the Independent Living Program, and the SILCs. The Rehab Act as Amended is a landmark federal disability legislation and a precursor to the Americans with Disabilities Act (ADA).

The SILC is a cross-disability, statewide, volunteer council representing the independent living needs of people with significant disabilities in New Hampshire. The SILC represents persons with all types of disabilities including: brain injury, blind and visual, cognitive, deaf and auditory, mental health, physical disabilities, spinal cord injury, etc. The SILC's mission is to provide leadership and advocacy in support of the independent living philosophy for persons with significant disabilities. The philosophy of independent living includes: individual control, peer support, self-help, and self-determination to maximize the independence, inclusion and productivity of people with disabilities. This is all designed to promote empowerment, independence, leadership, and productivity of persons with disabilities. The SILC looks at broad systems issues.

The SILC does not provide advocacy for individuals or provide direct services. The Council's members are appointed by the Governor. The majority of SILC volunteer members have firsthand knowledge of disabilities and services. This gives the SILC a broad knowledge base of independent living services and gaps statewide.

The SILC is housed in the Governor's Commission on Disability, and it is fully funded by Federal resources from Title VII, by the NH Bureau of Vocational Rehabilitation. The SILC, GCD, Service Link, Granite State Independent Living (GSIL), the Developmental Disabilities Council (DDC), Northeast Deaf and Hard of Hearing Services, Brain Injury Association of New Hampshire and other disability agencies and coalitions work collaboratively on activities to improve the lives of citizens living with disabilities in New Hampshire. State Agencies that hold seats on the SILC are from the NH Department of Health and Human Services, GCD, Vocational Rehabilitation, and the Older Blind IL Program.

SILC also has developed tip sheets designed to provide a basic overview of the topic and additional ways or links to get more in-depth information. The tip sheets reach people statewide reaching an estimated 3,000 people. The SILC Information and Resource Newsletter is sent out free electronically to over 2,000 subscribers. This newsletter reaches businesses, Chamber of Commerce, colleges, community organizations, developmental disability agencies, hospitals, libraries, mental health centers, minority health groups, parents, parent groups, peer support groups, schools, senior citizen groups, etc. The SILC position is currently vacant.

## **Personnel Data**

There are currently 7 employees with two vacant positions. There are 6 classified employees, and one unclassified employee, the latter being the executive director.

### **Employees at the GCD:**

#### **Research and Information Specialist (Classified Part-Time)**

Fields and responds to phone calls from the public and addresses issues, with the dissemination of information, such as Service Animal issues, Social Security Administration questions, inquiries regarding Human Rights, HUD housing, accessibility with both private and public entities, and various topics from people with disabilities. Currently this position is part time and is budgeted to start full time July 1, 2016

#### **Accessibility Specialist (Classified Full-Time)**

Reviews and inspects State property and State leased properties for compliance with the Americans with Disabilities Act and the NH Architectural Barrier Free Design Code. This person advises public entities, businesses, individuals on ADA compliance and methods to improve access to goods and services, develops educational materials and opportunities to promote understanding of the Americans with Disabilities Act and the NH Architectural Barrier Free Design Code. This includes informational resources through the GCD website as well as workshops, seminars and panel discussions. Provide technical assistance on architectural accessibility compliance requirements of the Americans with Disabilities Act, The New Hampshire State Building Code, Section 504 of The Rehabilitation Act and The Fair Housing Act. Additional activities of the Accessibility Specialist under the direction of the Executive Director include:

- Tracking and reporting legislative activity to the internal Legislative committee.
- Serves on committees both internal and external as directed.
  - Public Water Access Board
- Managing Social Media accounts

### **Business Administrator I (Classified Full-Time)**

The Business Administrator I (BA) under the direction of the Executive Director is responsible for all aspects of the financial operations of the GCD for both the state budget as well as the federal budget as it relates to the Client Assistance Program (CAP). Additionally, the Business Administrator monitors and coordinates with the Department of Education, all the financial aspects of the State Wide Independent Living Counsel (SILC) and The New England ADA (NEADA) Center grant funds. Furthermore, the Business Administrator also functions as the Human Resource Coordinator for the office.

### **Clerk Interviewer (Classified Full-Time)**

The Clerk Interviewer (CI) is responsible for answering the office phones and the dissemination of calls to the appropriate staff. The position assist the staff with projects as requested. The Clerk also responds to public inquiries for information. The (CI) assists the BA with supplies and inventory and some minor accounting functions. The clerk also produces ad-hoc reports as directed. Lastly the Clerk assists the Executive Director with all aspects of correspondence, and meeting facilitation including the taking of minutes.

### **Executive Director (Unclassified Full-Time)**

The Executive Director (ED) is responsible for all operations of the GCD. The ED acts as a liaison between the Commission, the Governor's office, the public, the Agency office, and the legislature.

### **Ombudsman Federally Funded (Full-Time)**

The Ombudsman is the CAP program Administrator. The CAP Ombudsman responsibilities are described above under "Duties of the CAP".

### **Program Assistant I (Federally Funded Part-Time Vacant)**

The Program Assistant I – The duties are described above under the SILC.

### Governor's Commission on Disability - Commission Members

<u>Name</u>	<u>Position Held</u>	<u>Dates of Appointments</u>	<u>Term Expiration Date</u>
Paul Van Blarigan	Chairman	12/01/01	12/31/19
H. Dee Clanton	Commission Member	03/30/06	12/31/17
Barry Conway	Commission Member	01/21/10	04/22/17
Carl Cooley	Commission Member	10/30/12	06/15/16
Ann Dillon	Commission Member	03/06/13	11/15/16
Lisa DiMartino	Commission Member	04/22/12	04/22/18
Nancy Druke	Commission Member	03/05/14	03/05/20
Jim Hinson	Commission Member	04/30/07	09/20/18
Carol Holmes	Commission Member	02/27/08	09/20/19
Ellen Keith	Commission Member	10/02/97	09/24/18
Irene Lover	Commission Member	03/05/14	03/05/20
Mariellen MacKay	Commission Member	04/21/14	04/21/20
Thomas Manning	Commission Member	04/09/04	04/09/16
Edmund Meskys	Commission Member	09/27/01	12/31/17
Mary Morin	Commission Member	10/06/08	07/20/19
Karen Prive	Commission Member	05/08/07	09/03/18
John Richards	Commission Member	06/05/13	11/15/16
Frederick Roberge	Commission Member	09/22/97	09/24/18
Katherine Russell	Commission Member	07/09/12	09/22/17
Patrick Shannon	Commission Member	03/05/14	03/05/20
Clyde Terry	Commission Member	12/06/02	09/24/18
Sandra Teti	Commission Member	01/23/06	09/27/17
Donald Shumway	Commission Member	03/12/13	09/24/15

**EX-OFFICIOS:**

RSA 275-C:3 Ex Officio Members. – The following, or their designees, shall serve as ex officio members without a vote on the commission: (1) the Commissioner of Health and Human Services, (2) the Administrator of the Bureau of Vocational Rehabilitation, Department of Education, (3) the Supervisor of Blind Services, Bureau of Vocational Rehabilitation, Department of Education, (4) the Commissioner of Labor, (5) the Commissioner of Department of Employment Security, and (6) a member of the State Board of Education as designated by the Governor.



**Governor's Commission on Disability  
Architectural Barrier Free Design Committee**

<b>Member</b>	<b>Appointment</b>
<b>Larry Ashford</b>	<b>GCD Vote 1/6/15</b>
<b>Eric Brand</b>	<b>GCD Vote 1/6/15</b>
<b>David Jordan</b>	<b>GCD Vote 9/23/08</b>
<b>Irene Lover</b>	<b>GCD Vote 1/6/15</b>
<b>Mariellen MacKay</b>	<b>GCD Vote 1/6/15</b>
<b>Joan Marcoux</b>	<b>GCD Vote 1/6/15</b>
<b>Michael Santa</b>	
<b>Ken Santos</b>	<b>GCD Vote 6/23/09</b>
<b>Leon Smith</b>	
<b>Sandra Teti</b>	<b>GCD Vote 11/28/06</b>
<b>Mark Weir</b>	<b>GCD Vote 4/30/02</b>

**Summary of Receipts and Expenditures  
FY 2015**

Approved Budget	687,634.00
Operating Costs	34,953.21
Program Costs	147,186.79
Personnel Costs	358,593.85
Total Expenses	540,733.85
Revenue Sources:	
SILC	23,154.66
CAP	89,408.51
NEADA	26,250.00
NFB	28,000.00
TEAP	96,000.00
Other Revenue	250.00
Subtotal Revenue	263,063.17
General Fund	277,920.68
Total Revenue	540,983.85

### **Major Accomplishments**

The GCD this year held its first annual Open House, celebrating the 25<sup>th</sup> anniversary of the signing of the ADA, which was very successful. The annual event for 2016 will be called ADA + 1, is scheduled for September 2016 in the Philbrook BLDG.

In 2015 the GCD published two newsletters, participated in a radio program, developed a Twitter & Facebook account and in conjunction with its partner, New England ADA (NEADA), held an educational workshop for the ABFDC. In addition the GCD participated in several conferences to promote public awareness and programs of the GCD.

The Accessibility Specialist of the GCD is in the process of streamlining the lease process with the Bureau of Plant and Property Management.

Under the CAP activities, the CAP ombudsman has worked with the Hollis-Brookline school to reach out to the students with disabilities who are in transition from the school setting to the employment setting. The GCD Executive Director and the CAP Ombudsman visit each Vocational Rehabilitation (VR) office to promote awareness of the program, and the availability of the Ombudsman regarding employment issues.

The GCD also has made strides in greater accessibility by providing Cart Interpretation Services, ASL Interpreters, and amplification during Commission meetings and hopes to use this as a model for other state sponsored meetings that need to provide accessibility for its consumers.

### **Significant Legislation**

The GCD under SB 265-FN, The Governor's Commission on Disability, in partnership with the Treasury Dept. has been designated to implement in NH the ABLE Act, a savings account program. Achieving a Better Life Experience Act (ABLE) is federal legislation that aims to ease financial strains faced by individuals with disabilities by making tax-free savings accounts available to cover qualified expenses such as education, housing, and transportation.

Included and passed in recent 2015 legislation is a fee for application for a waiver process regarding the code for barrier free design. The fee amount is yet to be determined and the application and fee will be implemented in the coming year, after the rules process is implemented and approved (expected later in 2016).

### **Moving Forward**

- The GCD plans to keep up the outreach efforts using the Social Media websites and the newsletter. Continued conference participation provides on-going outreach opportunities. The GCD is also in the process of re-designing its website with an emphasis on accurate information and ease of use for the public.
- The ADA +1 event being planned is both informative and educational. The GCD is planning educational workshops during this year's event and hopes to be able to have on-site media coverage for the event.
- The GCD will be finalizing the fee for waiver process. A small fee for providing educational workshops for a variety of professional groups is being discussed with some buy-in from our regional affiliate (NEADA). Any fees generated by these projects will help generate revenue for further outreach to the affected communities.
- The Client Assistance Program (CAP) has had some great successes under the current Ombudsman. Outreach and collaboration with the various Voc-Rehab offices is a strategy that will continue as it is helping with client needs in employment.
- Continuing education for the staff will continue as it helps provide up-to-date information that enables the staff to better educate and assist the public. An ADA manual is being planned for use in training and as a resource of accurate information.
- The Commission through its Legislative Committee will continue a sustained focus on legislation that impacts the GCD community.
- The GCD is also planning to develop an ADA Accessibility Committee to strategize solutions about accessibility problems in NH.